

FUCHS, GREENBERG & SAPIN, L.L.C.

**ATTORNEYS AT LAW
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(201) 656-2288

LEWIS GREENBERG

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HACKENSACK OFFICE

BY APPOINTMENT ONLY

† N.J. & PA. BAR

e-mail address:

Lewis Greenberg, Esq. - lg@fgsnjlaw.com

Marc E. Sapin, Esq. - msapin@fgsnjlaw.com

CMRRR #: 7014 2120 0001 2735 5938

July 11, 2017

AIG National Union Fire Insurance
Company of Pittsburgh
Attn: Dwight Pinson, Claims Rep.
P. O. Box 305905
Nashville, Tennessee 37230-5905

**RE: David M. Paton vs. AIG National Union Fire Insurance
Company of Pittsburgh.
Docket No.: HUD-L-2171-17
Claim No.: 0694071172US
D/A: 01/05/2015**

Dear Sir/Madam:

Please be advised of my representation of Plaintiff, David M. Paton, in the above matter. I enclosed herewith a copy of a Summons and Complaint which is being served upon you pursuant to New Jersey Supreme Court Rule 4: 4-4.

Please forward a copy of the Complaint to your legal department with the request that they file an answer on your behalf. If you are uninsured, please call us directly.

Very truly yours,

LEWIS GREENBERG

LG/yr
Encl.

Via certified and regular mail in accordance with Supreme and Superior Court Rule 1:5-4, which states, "If the addressee fails or refuses to claim or to accept delivery of certified or registered mail, the registered mailing, the ordinary mailing shall be deemed to constitute service".

FUCHS, GREENBERG, SAPI, L.L.C
 35 JOURNAL SQUARE – SUITE 921
 JERSEY CITY, NEW JERSEY 07306
 (201) 656-2288
 FAX (201) 656-4647
 Attorney for the Plaintiff

DAVID M. PATON,

Plaintiff,

vs.

AIG NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH, jointly,
 severally and in the alternative,

Defendants,

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION - HUDSON COUNTY

DOCKET NUMBER:
 HUD-L-2171-17

CIVIL ACTION

SUMMONS


STATE OF NEW JERSEY TO THE ABOVE NAMED DEFENDANT (S):

**AIG NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH
 Attn: DWIGHT PINSON, CLAIMS REP.
 Claim #: 0694071172US**

The Plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis for this lawsuit. If you dispute this Complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this Summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided) An \$80.00 filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to Plaintiff's attorney whose name and address appear above, or to Plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the Court may enter a judgment against you for the relief Plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.


 MICHELLE A. SMITH
 TEMPORARY CLERK OF THE SUPERIOR COURT

DATED: July 11, 2017

Name of Person to be Served:

AIG NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH

ATTN: DWIGHT PINSON, CLAIMS REP.

Address of Person to be Served:

P. O. BOX 305905

NASHVILLE, TENNESSEE 37230-5905

FUCHS, GREENBERG, SAPI, L.L.C
 35 JOURNAL SQUARE – SUITE 921
 JERSEY CITY, NEW JERSEY 07306
 (201) 656-2288
 FAX (201) 656-4647
 Attorney for the Plaintiff

DAVID M. PATON,

Plaintiff,

vs.

AIG NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH, jointly,
 severally and in the alternative,

Defendants,

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION - HUDSON COUNTY

DOCKET NUMBER:
 HUD-L-2171-17

CIVIL ACTION

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 MICHELLE A. SMITH
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DATED: July 11, 2017

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AIG NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH
 ATTN: DWIGHT PINSON, CLAIMS REP.

Address of Person to be Served:

P. O. BOX 305905
 NASHVILLE, TENNESSEE 37230-5905

LEWIS GREENBERG, ESQ. – I.D. #009571975
FUCHS, GREENBERG & SAPIN, LLC
35 JOURNAL SQUARE – SUITE 921
JERSEY CITY, NEW JERSEY 07306
(201) 656-2264
FAX (201) 656-4647
Attorney for the Plaintiff

FILED
CUSTOMER SERVICE
MAY 25 2017
SUPERIOR COURT OF NEW JERSEY
COUNTY OF HUDSON
CIVIL DIVISION #5

DAVID M. PATON,

Plaintiff,

vs.

AIG, NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, jointly,
severally and in the alternative,

Defendants.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION: HUDSON COUNTY

DOCKET NUMBER

L-2171-17

CIVIL ACTION

COMPLAINT AND JURY DEMAND

The Plaintiff, David M. Paton, residing in the City of Clifton, County of Passaic and State of New Jersey, complaining of the Defendants above says:

FIRST COUNT:

1. At all times hereinafter mentioned, Defendant, AIG and National Union Fire Insurance Company of Pittsburgh, were insurance companies authorized by the laws of the State of New Jersey to write policies of motor vehicle insurance, including provision for Uninsured/Underinsured motorist coverage.

2. On or about January 5, 2015, Plaintiff, David M. Paton, was a "covered person" under the Uninsured/Underinsured motorist endorsement of his employer's, Action Carting Environmental Group, Inc.'s, insurance policy issued by AIG and National Union Fire Insurance Company of Pittsburgh, under Policy No.: 4576693.

3. On or about January 5, 2015, Plaintiff, David M. Paton, was involved in a motor vehicle accident caused by a careless, reckless, negligent, under the influence tortfeasor, as well as an Underinsured automobile on 15th Street and New York Avenue, Union City, New Jersey when said tortfeasor's vehicle struck Plaintiff's motor vehicle with tremendous force and violence further causing Plaintiff's vehicle to flip over.

4. As a result of the aforementioned accident, Plaintiff, David M. Paton, suffered severe temporary and permanent injuries, was rendered disabled, was prevented from engaging in his usual pursuits and occupations, further causing severe and substantial economic loss resulting from his disability to return to his chosen employment and has in the past and will in the future be compelled to expend substantial sums of money to attempt to remedy his pain and suffering, and was otherwise damaged.

5. Said Tortfeasor's insurance company, Liberty Insurance Group offered and paid their policy limits of \$15,000.00 in settlement of said underlying claim.

6. Pursuant to the provisions of the aforementioned insurance policy, Plaintiff, David M. Paton, made claim for Underinsured motorist benefits from the Defendants, AIG and

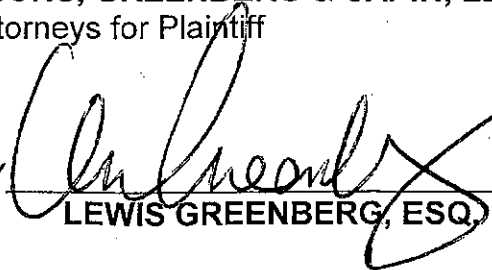
National Union Fire Insurance Company of Pittsburgh, along with demand for arbitration due to Defendant's refusal to resolve Plaintiff's Underinsured Motorist Claim in good faith.

7. Said Defendants, AIG and National Union Fire Insurance Company of Pittsburgh, has refused to agree to proceed to Arbitration despite its contractual obligation to do so with Plaintiff, further due to Defendants' failure to settle Plaintiff's Uninsured/Underinsured Motorist claim for his very serious permanent injuries suffered as a result of the within motor vehicle accident of January 5, 2015

WHEREFORE, Plaintiff, David M. Paton, demands judgment against the Defendants, AIG and National Union Fire Insurance Company of Pittsburgh, for the full extent of their Underinsured motorist coverage of \$1,000,000.00 together with interest, attorney fees, costs, and such other relief as the Court deems appropriate.

FUCHS, GREENBERG & SAPIN, LLC
Attorneys for Plaintiff

BY


LEWIS GREENBERG, ESQ.

Dated: May 22, 2017

TO THE WITHIN NAMED DEFENDANTS:

PLEASE TAKE NOTICE that Plaintiff herein demands a trial by jury on all Counts of the foregoing Complaint.

FUCHS, GREENBERG & SAPIN, LLC
Attorneys for Plaintiff

BY


LEWIS GREENBERG, ESQ.

Dated: May 22, 2017

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CERTIFICATION (R.4:5-1)

The Plaintiff hereby certifies that the matter in controversy is the subject of a pending workers compensation claim in the Passaic District and is not the subject of any known pending arbitration proceedings

The Plaintiff further certifies that they have no knowledge of any contemplated actions or arbitration proceedings which is contemplated regarding the subject matter of this action and that they are not aware of any other parties who shall be joined in this action.

In accordance with R. 4:25-4, Lewis Greenberg, Esq., is hereby designated as trial counsel for the plaintiff in the above matter.

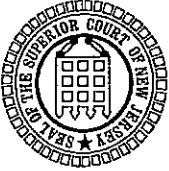

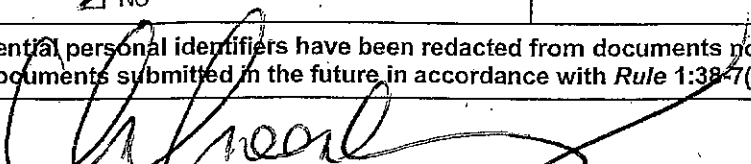
FUCHS, GREENBERG & SAPIN, LLC
Attorneys for Plaintiff



LEWIS GREENBERG, ESQ.

Dated: May 22, 2017

Appendix XII-B1

 <div style="text-align: center;"> CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed </div>		FOR USE BY CLERK'S OFFICE ONLY			
		ATTORNEY / PRO SE NAME LEWIS GREENBERG, ESQ.		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA	
		TELEPHONE NUMBER (201) 656-2288		CHG/CK NO.	
		FIRM NAME (if applicable) FUCHS, GREENBERG & SAPIN, LLC.		AMOUNT:	
		OFFICE ADDRESS 35 JOURNAL SQUARE, SUITE 921 JERSEY CITY, N.J. 07306		OVERPAYMENT:	
		BATCH NUMBER:			
NAME OF PARTY (e.g., John Doe, Plaintiff) DAVID M. PATON		CAPTION Paton v. AIG + National Union Fire Insurance Co. of Pittsburgh			
CASE TYPE NUMBER (See reverse side for listing) 621	HURRICANE SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.			
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS			
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION					
<input checked="" type="checkbox"/>  DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
WILL AN INTERPRETER BE NEEDED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE?			
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .					
ATTORNEY SIGNATURE: 					

HUDSON COUNTY
HUDSON COUNTY
583 NEWARK AVENUE
JERSEY CITY NJ 07306

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (201) 217-5162
COURT HOURS 8:30 AM - 4:30 PM

DATE: MAY 30, 2017
RE: PATON VS AIG ET ALS
DOCKET: HUD L -002171 17

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON DANIEL DALESSANDRO

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (201) 795-6908.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R. 4:5A-2.

ATTENTION:

ATT: LEWIS GREENBERG
FUCHS GREENBERG SAPIN LLC
35 JOURNAL SQUARE
9TH FL SUITE 921
JERSEY CITY NJ 07306

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OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

FUCHS, GREENBERG & SAPIN, LLC.
ATTORNEYS AT LAW
35 JOURNAL SQUARE
SUITE 921
JERSEY CITY, NJ 07306



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UNITED STATES POSTAGE
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MAILED FROM ZIP CODE 07306

AIG National Union Fire Insurance
Company of Pittsburgh
Attn: Dwight Pinson, Claims Rep.
P. O. Box 305905
Nashville, Tennessee 37230-5905

372305905 8051

